

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

AUDEN VALDEZ,

Plaintiff,

v.

No. 1:21-cv-00572-KWR-SCY

NEW MEXICO DEPARTMENT OF CORRECTIONS,

Defendant.

ORDER DENYING IN FORMA PAUPERIS RELIEF

THIS MATTER is before the Court on Plaintiff's Motion to Proceed *In Forma Pauperis* (Doc. 2). He seeks to prosecute his Prisoner Civil Rights Complaint without prepaying the \$402 filing fee. The Court may only grant such relief where an inmate's "affidavit [and] ... statement of ... assets [demonstrates] that the [inmate] is unable to pay such fees or give security therefor." 28 U.S.C. § 1915(a)(1). Plaintiff's financial statement reflects he has \$1,343.80 in his inmate spending account. (Doc. 2 at 3). The Court will therefore deny the Motion. Plaintiff must prepay the \$402 filing fee within thirty (30) days of entry of this Order. The failure to timely comply will result in the dismissal of this action without further notice.

IT IS ORDERED that Plaintiff's Motion to Proceed *In Forma Pauperis* (Doc. 2) is **DENIED**; and Plaintiff must prepay the \$402 filing fee within thirty (30) days from entry of this Order.



KEA W. RIGGS
UNITED STATES DISTRICT JUDGE